

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

On this the 20<sup>th</sup> day of March, 2006 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT	Jesus Galvan, Dorothy Roberts, Frank Hametner, Grace Chapa, Jay Attaway,	Mayor Mayor Pro Tempore Council Member Council Member Council Member
ABSENT:	None	
ADMINISTRATIVE PERSONNEL PRESENT:	Scott Thompson, Ada Owens,	City Manager Interim City Secretary
ADMINISTRATIVE PERSONNEL ABSENT:	Allen Lawrence,	City Attorney
STAFF PRESENT:	Gretchen Black, Darren Gurley, Frank Truitt,	Assistant City Manager Director of Public Works City Inspector

OTHERS PRESENT: Lupe Torres, Juan Gareva, Paula Weekley, Edward R. Canales, Jr., Ralph and Lu Arcemont, Dave and Pam Martin, Bill and Cynthia Yost, Don and Jeanie Brummett, Ruben Ledezma, Jr., Mike Keller, Harlan Roberts, Ernie Torres, Pete M. Martinez, Tome Brown, Patty Gilden, Rose Mary Upton, Earl Buckmaster, Angus and Christi Mathews, Irene Irely, Pam Benson, Jerry Wellman, Karl Lovette, Hope Comingore, Kerry Riley with The Herald Newspaper, Michelle Purdue, Linda Reiter, Margaret Garrett, Eva Young, Capt. Fred Comingore, Tim Galvan.

(There may have been others present who did not sign in).

**ITEM 1.**

**CALL MEETING TO ORDER.**

Mayor Galvan called the meeting to Order at 7:02 p.m. on March 20, 2006.

**ITEM 2.**

**INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG AND THE TEXAS FLAG.**

Council Member Hametner gave the Invocation.

Council Member Chapa led the Pledge of Allegiance to the United States Flag and the Texas Flag.

**ITEM 3.**

**CITIZENS COMMENTS.**

Mr. Bill Yost distributed packets to the Mayor and Council. Mr. Yost stated nine years ago he came before the Council and was appointed

the Systems Administrator for the City of Aransas Pass. Mr. Yost stated there was a letter of resignation in the packet in reference to that position and the rest of the packet would explain the reason why he was resigning.

Mr. Yost stated he was surprised he was on the Agenda for Legal Matters so the Council could not know what his packet contained. He stated he would say the City intends to sue him for some reason and he would reserve his comments until the Council returned from Executive Session.

Mr. Ruben Ledezma stated commended the Mayor and Council on working as a whole on Conn Brown Harbor and suggested citizens ask questions of those people directly involved with the development. He stated phase one impact studies were being done to determine what kind of contamination was in Conn Brown Harbor, how it was going to be cleaned up, and the final cost of the clean-up. Mr. Ledezma stated he would challenge people who do not fully understand the development of the Harbor to ask questions of the developer and the Council so they would have a better understanding of the process.

Mr. Lupe Torres stated he was representing some of his friends and neighbors in saying the Council made the right decision about the Harbor. The development will help with jobs, schools and all citizens of Aransas Pass.

**ITEM 4.**

**CONSENT AGENDA – “All of the Following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member so requests. If discussion is desired that item will be removed from the Consent Agenda and will be considered separately”.**

- A. Approval of Minutes of a Regular Meeting of March 6, 2006.**
- B. Approval of Minutes of Special Joint Meeting with Aransas Pass Municipal Development District March 14, 2006.**

Mayor Pro Tempore Roberts made the motion to approve the Consent Agenda Items A and B. Council Member Attaway seconded the motion and the motion carried unanimously.

**ITEM 5.**

**CONSIDER APPLICATIONS FOR THE ARANSAS PASS HOUSING AUTHORITY BOARD.**

After discussion, Council Member Chapa made the motion that applications be requested from the Public for the Aransas Pass Housing Authority Board and the Memorial Commission and that the Council consider applications after they are received by the City. Mayor Pro Tempore Roberts seconded the motion and the motion carried unanimously.

**ITEM 6.**

**CONSIDER APPLICATIONS FOR THE MEMORIAL COMMISSION.**

Item tabled with Item 5.

**ITEM 7.**

**CONSIDER THE RESIGNATION OF ARANSAS PASS MUNICIPAL DEVELOPMENT DISTRICT (APMDD) BOARD PRESIDENT ROBERT JAYNE AND APPLICATIONS TO THE APMDD.**

Mayor Pro Tempore Roberts made the motion to accept the resignation of Mr. Robert Jayne with regret and request applications for the open position on the APMDD. Council Member Chapa seconded the motion and the motion carried unanimously.

The Mayor and Council thanked Mr. Jayne for his long service to the City.

**ITEM 8.**

**CONSIDER REQUEST FROM ARANSAS PASS FOR YOUTH, INC. FOR REDUCTION ON SWIMMING POOL FEES.**

Ms. Linda Carter, Coordinator for the Juvenile Probation Department Prevention Services and Director for the Aransas Pass for Youth Summer Camp explained the aims and costs of the Summer Program. She stated the organization was asking that a reduced fee for the swimming pool be charged for the Summer Camp children. The Camp dates are June 12-July 28, 2006 and approximately 200 children would swim two days per week.

After discussion, Council Member Hametner made the motion to charge the Aransas Pass for Youth Summer Camp an entry fee of fifty cents per child per day. Council Member Attaway seconded the motion and the motion carried unanimously.

**ITEM 9.**

**CONSIDER REQUEST FROM ARANSAS PASS HIGH SCHOOL PROJECT GRADUATION FOR USE OF SWIMMING POOL JUNE 2, 2006 FROM MIDNIGHT UNTIL 2:00 A.M.**

Mayor Pro Tempore Roberts made the motion to grant the request from Aransas Pass High School Project Graduation for use of the swimming pool June 2, 2006 from Midnight until 2:00 a.m. Council Member Chapa seconded the motion and the motion carried unanimously.

**ITEM 10.**

**PUBLIC HEARING ON A REQUEST BY RICHARD AND MARILYN RIMER FOR A CONDITIONAL USE PERMIT TO OPERATE AN OPEN AIR FARMER'S MARKET TO SELL FRESH PRODUCE AND CRAFTS TWO OR THREE DAYS A WEEK.**

After discussion, Council Member Attaway made the motion to table Item 10 and Item 11 until the April 3, 2006 Council meeting. Mayor Pro Tempore Roberts seconded the motion and the motion carried unanimously.

**ITEM 11.**

**CONSIDER A REQUEST BY RICHARD AND MARILYN RIMER FOR A CONDITIONAL USE PERMIT TO OPERATE AN OPEN AIR FARMER'S MARKET TO SELL FRESH PRODUCE AND CRAFTS TWO OR THREE DAYS A WEEK.**

Item tabled until April 3, 2006 Council meeting.

**ITEM 12.**

**CONSIDER A RESOLUTION (2006-550) AUTHORIZING TAX  
RESALE OF LOT 14, BLOCK 786, ARANSAS PASS TOWNSITE.**

Council Member Hametner made the motion to untangle Item 12 and Item 13. Mayor Pro Tempore Roberts seconded the motion and the motion carried unanimously.

Mayor Pro Tempore Roberts made the motion to approve Resolution 2006-550 authorizing tax resale of Lot 14, Block 786, Aransas Pass Townsite. Council Member Hametner seconded the motion and the motion carried unanimously.

**ITEM 13.**

**CONSIDER A RESOLUTION (2006-551) AUTHORIZING TAX  
RESALE OF LOT 6, BLOCK 744, ARANSAS PASS TOWNSITE.**

After discussion Council Member Attaway made the motion to approve Resolution 2006-551 authorizing the tax resale of Lot 6, Block 744, Aransas Pass Townsite. Council Member Hametner seconded the motion and the motion carried unanimously.

**ITEM 14.**

**CONSIDER BIDS AND SELECTION OF OFFICIAL NEWSPAPER OF  
THE CITY OF ARANSAS PASS.**

Council Member Hametner asked what were the criteria for the bids?

City Manager Thompson stated examples of the same ads were sent to each newspaper for price quotes on the ads. Discussion was held on subscriber numbers and newsstand sales.

Mayor Pro Tempore Roberts stated the Herald newspaper was cheaper than the Progress.

Council Member Hametner stated that this deal sounded like political payback to him.

Council Member Attaway asked how much does the City spend on newspaper advertising each year?

Assistant City Manager Black stated the City spends approximately \$1,200.00 per year on newspaper advertising.

Mayor Pro Tempore Roberts made the motion to select The Herald newspaper as the official newspaper of the City of Aransas Pass. Council Member Chapa seconded the motion and the motion carried by a vote of three to two with Council Members Attaway and Council Member Hametner voting against the motion.

**ITEM 15.**

**CONSIDER RESOLUTION 2006-552 APPOINTING MEMBERS TO  
HARBOR MANAGEMENT TASKFORCE STAKEHOLDERS  
COMMITTEE.**

City Manager Thompson stated the Taskforce Committee was required by the Harbor Management Plan Grant.

Council Member Chapa asked how were the Committee Members selected?

The City Manager stated the members come from a cross section of the Community and he encouraged the appointment of the members because the Harbor Management Grant must be finished by February. He also stated that the committee would work with Dave Sullivan (Naismith Engineering) to provide comments on the Management Plan content involving operations and management of the Harbor. The committee members should represent the interests of harbor lessees, tenants, and other Harbor users or stakeholders. The committee would provide recommendations to the City Council regarding the Plan content and approval and implementation of the Harbor Management Plan. The Committee would be looking at the Harbor Master Plan, waterways ordinances, and studies of Conn Brown Harbor to develop the Harbor Management Plan.

After being asked by Mayor Galvan, Mr. Sullivan stated he had selected the members by polling citizens and harbor interest groups to have a balance to represent shrimping, pleasure, and harbor users.

Council Member Hametner asked could the Council approve the list of members Mr. Sullivan recommended and ask for applications from the public?

Mayor Galvan stated he agreed with Council Member Hametner and the Council should ask for applications from the public. Mayor Galvan asked Mr. Sullivan if 5 more members would be too many?

Mr. Sullivan stated the number of members should be kept as low as possible.

Mayor Pro Tempore Roberts made the motion to approve Resolution 2006-552 appointing members to the Harbor Management Taskforce Stakeholders Committee and to request applications from the public for the Harbor Management Taskforce Stakeholder Committee. Council Member Hametner seconded the motion and the motion carried unanimously.

**ITEM 16.**

**RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.**

Section 551.071, Legal Matters, Possible Litigation Regarding Computer Services Provided by Electrotex Int'l, Inc.

Section 551.071, Legal Matters, Discussion of APDG Memorandum of Understanding.

Section 551.071, Legal Matters, Discussion of Agreement with Bickerstaff, Heath, Pollan & Caroom, L.L.P. for review of APDG Memorandum of Understanding.

Recessed into Executive Session at 7:34 p.m.

**ITEM 17.**

**RECONVENE IN REGULAR MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.**

Council reconvened at 7:55 p.m.

Section 551.071, Legal Matters, Possible Litigation Regarding Computer Services Provided by Electrotex Int'l, Inc.

Mayor Galvan announced there was no action needed.

Section 551.071, Legal Matters, Discussion of APDG Memorandum of Understanding.

Mayor Pro Tempore made the motion to table this item. Council Member Hametner seconded the motion and the motion carried unanimously.

Section 551.071, Legal Matters, Discussion of Agreement with Bickerstaff, Heath, Pollan & Caroom, L.L.P. for review of APDG Memorandum of Understanding.

Council Member Chapa made the motion to hire the law firm of Bickerstaff, Heath, Pollan & Caroom, L.L.P. for review of the APDG Memorandum of Understanding. Council Member Hametner seconded the motion and the motion carried unanimously.

**ITEM 18.**

**ADJOURNMENT OF MEETING.**

Mayor Galvan thanked residents from W. Lott Avenue and N. Seventh Street for their patience informing them that the Aransas Pass Municipal Development District is now recommending that only part of Block 287 be purchased.

Mayor Galvan adjourned the meeting at 7:58 p.m.

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Jesus Galvan, Mayor

ATTEST:

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Ada Owens, Interim City Secretary